

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

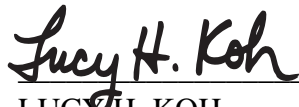
LILIA DIZON,)	Case No.: 5:11-CV-05224-LHK
)	
Plaintiff,)	
)	ORDER TO SHOW CAUSE WHY CASE
v.)	SHOULD NOT BE DISMISSED FOR
)	FAILURE TO PROSECUTE
WELLS FARGO BANK, N.A.; LITTON LOAN)	
SERVICING; and DOES 1 through 100,)	
inclusive,)	
)	
Defendants.)	

Plaintiff Lilia Dizon filed a complaint against Wells Fargo Bank, N.A. (“Wells Fargo”), Litton Loan Servicing (“Litton”), and Does 1 through 100 (collectively “Defendants”) on September 22, 2011, in Santa Clara County Superior Court. *See* ECF No. 1. On October 26, 2011, Litton removed the case to federal court. *Id.* Litton declined to proceed before a magistrate judge on October 31, 2011, and the case was reassigned to the undersigned judge on November 1, 2011. *See* ECF Nos. 4, 6. On November 2, 2011, Litton filed a motion to dismiss the complaint pursuant to Federal Rule of Civil Procedure 12(b)(6). *See* ECF No. 7. On November 17, 2011, Wells Fargo joined Litton’s motion. ECF No. 10. Pursuant to Civil Local Rule 7-3(a), Plaintiff’s opposition to Litton’s motion to dismiss was due on November 16, 2011. Plaintiff has not filed an opposition or statement of non-opposition to Litton’s motion.

1 The hearing on Litton's motion and the case management conference set for May 24, 2012,
2 are VACATED. The Court hereby ORDERS Plaintiff to show cause why this case should not be
3 dismissed for failure to prosecute. This Order does not authorize Plaintiff to file an untimely
4 opposition to Litton's motion. Plaintiff has until **May 17, 2012** to file a response to this Order to
5 Show Cause. A hearing on this Order to Show Cause is set for **Thursday, May 24, 2012, at 1:30**
6 **p.m.** Plaintiff's failure to respond to this Order and to appear at the May 24, 2012 hearing will
7 result in dismissal with prejudice for failure to prosecute.

8
9 **IT IS SO ORDERED.**

10 Dated: May 9, 2012



LUCY H. KOH
United States District Judge